

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HEADPHONE DEVICE WITH SURROUND SOUND EFFECT

the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_ as United States Application Number \_\_\_\_\_  
 or PCT International Application Number \_\_\_\_\_  
 and was amended on \_\_\_\_\_  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b), of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	<u>Priority Claimed</u>
(Number) _____ (Country) _____ (Day/Month/Year Filed) _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

(Number) _____ (Country) _____ (Day/Month/Year Filed) _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application Number) _____	(Filing Date) _____
(Application Number) _____	(Filing Date) _____
(Application Number) _____ Based on Form PTO/SB/01 (6-95) (F-66)	(Filing Date) Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

I (we) hereby appoint the following as our representative(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Please see attachment

Send Correspondence to:  
NIXON & VANDERHYE P.C.  
8th Floor  
1100 North Glebe Road  
Arlington, Virginia 22201-4714  
U.S.A.

Direct Telephone Calls to:

703 816 4000

I (we) hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Jonson TSAI				
Inventor's signature 				Date April 12, 2004
Residence:	City	State	Country	Citizenship
2-4F, No. 56, Min-Chuan W. Rd., Chung-Shan Dist., Taipei City, Taiwan Taiwan				
Mailing Address same as residence				
Full name of second joint inventor, if any				
Second Inventor's signature				Date
Residence:	City	State	Country	Citizenship
Mailing Address				

Arthur R. Crawford	Reg. No. 25,327
Larry S. Nixon	Reg. No. 25,640
Robert A. Vanderhye	Reg. No. 27,076
James T. Hosmer	Reg. No. 30,184
Robert W. Faris	Reg. No. 31,352
Richard G. Besha	Reg. No. 22,770
Mark E. Nusbaum	Reg. No. 32,348
Michael J. Keenan	Reg. No. 32,106
Bryan H. Davidson	Reg. No. 30,251
Stanley C. Spooner	Reg. No. 27,393
Leonard C. Mitchard	Reg. No. 29,009
Duane M. Byers	Reg. No. 33,363
Paul J. Henon	Reg. No. 33,626
Jeffry H. Nelson	Reg. No. 30,481
John R. Lastova	Reg. No. 33,149
H. Warren Burnam, Jr.,	Reg. No. 29,366
Thomas E. Byrne	Reg. No. 32,205

Applicant or Patentee : Jonson TSAI Attorney's  
Serial or Patent No. : \_\_\_\_\_ Docket No.  
Filed or Issued : \_\_\_\_\_  
For : HEADPHONE DEVICE WITH SURROUND SOUND EFFECT

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27 (b)) —INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled HEADPHONE DEVICE WITH SURROUND SOUND EFFECT described in :

( X ) the specification filed herewith  
( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below :

( ) no such person, concern, or organization  
( X ) persons, concerns or organizations listed below\*

\*Note : Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME GAMMA INC.  
ADDRESS 2-4F, No. 56, Min-Chuan W. Rd., Chung-Shan Dist., Taipei City, Taiwan  
( ) INDIVIDUAL ( X ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

FULL NAME Pi-Yun HUANG  
ADDRESS 1F, No. 2, Alley 2, Lane 69, Sec. 5, Min-Sheng E., Rd., Sung-Shan Dist., Taipei City, Taiwan  
( X ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Jonson TSAI  
Name of inventor Name of inventor Name of inventor

Signature of Inventor Jonson TSAI Signature of Inventor Signature of Inventor  
Date April 12, 2004 Date Date

Applicant or Patentee : Jonson TSAI Attorney's  
Serial or Patent No. : \_\_\_\_\_ Docket No.  
Filed or Issued : \_\_\_\_\_  
For : HEADPHONE DEVICE WITH SURROUND SOUND EFFECT

VERIFIED STATEMENT (DECLARATION) BY NON-INVENTOR  
SUPPORTING A CLAIM BY ANOTHER FOR SMALL ENTITY STATUS

I hereby declare that I am making this verified statement to support a claim by Pi-Yun HUANG for small entity status for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled HEADPHONE DEVICE WITH SURROUND SOUND EFFECT

by inventor (s) Jonson TSAI described in

(X) the specification filed herewith  
( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that I would qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying fees under section 41 (a) and (b) of Title 35, United States Code, if I had made the above identified invention.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

(X) no such person, concern, or organization  
( ) persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

( ) INDIVIDUAL (X) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Pi-Yun HUANG

ADDRESS OF PERSON SIGNING 1F, No. 2, Alley 2, Lane 69, Sec. 5, Min-Sheng E. Rd.,

SIGNATURE HUANG PI YUN Sung-Shan Dist. Taipei City, Taiwan DATE April 12, 2004

Applicant or Patentee : Jonson TSAI Attorney's  
Serial or Patent No. : \_\_\_\_\_ Docket No.  
Filed or Issued : \_\_\_\_\_  
For : HEADPHONE DEVICE WITH SURROUND SOUND EFFECT

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9 (f) and 1.27 (c)) —SMALL BUSINESS CONCERN

I hereby declare that I am

(  ) the owner of the small business concern identified below:  
(  ) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN GAMMA INC.  
ADDRESS OF CONCERN 2-4F, No. 56, Min-Chuan W. Rd., Chung-Shan Dist.,  
Taipei City, Taiwan

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled HEADPHONE DEVICE WITH SURROUND SOUND EFFECT  
By inventor(s)

Jonson TSAI  
described in

(X) the specification filed herewith  
(  ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
(  ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e). \*NOTE: separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
(  ) INDIVIDUAL (  ) SMALL BUSINESS CONCERN (  ) NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
(  ) INDIVIDUAL (  ) SMALL BUSINESS CONCERN (  ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Jonson TSAI  
TITLE OF PERSON OTHER THAN OWNER President  
ADDRESS OF PERSON SIGNING 2-4F, No. 56, Min-Chuan W. Rd., Chung-Shan Dist.,  
Taipei City, Taiwan  
SIGNATURE Jonson TSAI DATE April 12, 2004